

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-0425-CR-COHN/SNOW

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SAMUEL KNOWLES,

Defendant.

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**ORDER GRANTING IN PART UNITED STATES' MOTION FOR RECONSIDERATION**

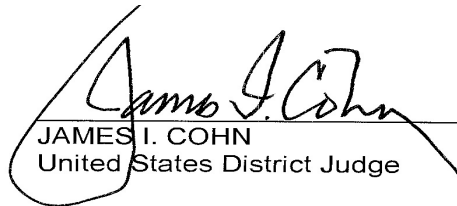
THIS CAUSE is before the Court upon the United States' Motion for Reconsideration of Court's Order Re: Admissibility of Alleged Inextricably Intertwined/Rule 404(b) Evidence [DE 112]. The Court has carefully considered the Motion and the argument heard before the undersigned on August 31, 2007, and is otherwise fully advised in the premises.

The Government seeks to introduce evidence of Defendant Samuel Knowles' drug trafficking activity from 1994 through 2000 in the form of eyewitness testimony and wiretap evidence as either inextricably intertwined with the charged conspiracy or as Rule 404(b) evidence. This Court initially determined that the evidence was inadmissible. Upon reconsideration, the Court finds that the intercepted conversations of the Defendant which occurred in the year 2000, the contents of which were not previously disclosed to the Court, are admissible under Rule 404(b). In these conversations, the Defendant himself is recorded describing the mode and operation of his drug smuggling operations in 2000. The Government proffers that the details of the operations were substantially the same (*modus operandi*) as that which existed at the

time of the alleged conspiracy. The set-up and motive of the smuggling activities is admissible under 404(b) as relevant to the Defendant's intent, knowledge, plan, identity, preparation, and Defendant's handiwork or signature of crime. Further, since the source of the evidence is the Defendant's own words, the Court finds that the probative value is not substantially outweighed by undue prejudice. The remaining evidence is inadmissible for the reasons set forth in this Court's prior Order Re: Admissibility of Alleged Inextricably Intertwined/Rule 404(b) Evidence [DE 111]. Accordingly, it is hereby

**ORDERED AND ADJUDGED** that Court upon the United States' Motion for Reconsideration of Court's Order Re: Admissibility of Alleged Inextricably Intertwined/Rule 404(b) Evidence [DE 112] is **GRANTED IN PART** insofar as it relates to the admissibility of the above-referenced intercepted conversations.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this 4th day of September, 2007.



JAMES I. COHN  
United States District Judge

copies to:

All counsel of record